## IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

In re:	)	Chapter 11
W. D. CDACE & CO4-1 1	)	CN. 01 1120 (TKE)
W. R. GRACE & CO., <u>et al</u> ., 1	)	Case No. 01-1139 (JKF) (Jointly Administered)
Debtors.	)	,

## **NOTICE OF DEPOSITION AND SUBPOENA**

To All Parties on the Attached Service List:

PLEASE TAKE NOTICE that, pursuant to Rules 30 and 45 of the Federal Rules of Civil Procedure, made applicable by Rules 7030 and 9016 of the Federal Rules of Bankruptcy Procedure, the United States District Court for the Southern District of Ohio issued a subpoena (a copy of which is attached hereto) for Eagle Picher Industries, Inc. Personal Injury Settlement Trust. This subpoena was served on September 21, 2007. The subpoena requires Eagle Picher Industries, Inc. Personal Injury Settlement Trust to produce certain documents and appear and on

<sup>&</sup>lt;sup>1</sup> The Debtors consist of the following 62 entities: W. R. Grace & Co. (f/k/a Grace Specialty Chemicals, Inc.), W. R. Grace & Co.-Conn., A-1 Bit & Tool Co., Inc., Alewife Boston Ltd., Alewife Land Corporation, Amicon, Inc., CB Biomedical, Inc. (f/k/a Circe Biomedical, Inc.), CCHP, Inc., Coalgrace, Inc., Coalgrace II, Inc., Creative Food 'N Fun Company, Darex Puerto Rico, Inc., Del Taco Restaurants, Inc., Dewey and Almy, LLC (f/k/a Dewey and Almy Company), Ecarg, Inc., Five Alewife Boston Ltd., G C Limited Partners I, Inc. (f/k/a Grace Cocoa Limited Partners I, Inc.), GC Management, Inc. (f/k/a Grace Cocoa Management, Inc.), GEC Management Corporation, GN Holdings, Inc., GPC Thomasville Corp., Gloucester New Communities Company, Inc., Grace A-B Inc., Grace A-B II Inc., Grace Chemical Company of Cuba, Grace Culinary Systems, Inc., Grace Drilling Company, Grace Energy Corporation, Grace Environmental, Inc., Grace Europe, Inc., Grace H-G Inc., Grace H-G II Inc., Grace Hotel Services Corporation, Grace International Holdings, Inc. (f/k/a Dearborn International Holdings, Inc.), Grace Offshore Company, Grace PAR Corporation, Grace Petroleum Libya Incorporated, Grace Tarpon Investors, Inc., Grace Ventures Corp., Grace Washington, Inc., W. R. Grace Capital Corporation, W. R. Grace Land Corporation, Gracoal, Inc., Gracoal II, Inc., Guanica-Caribe Land Development Corporation, Hanover Square Corporation, Homco International, Inc., Kootenai Development Company, L B Realty, Inc., Litigation Management, Inc. (f/k/a GHSC Holding, Inc., Grace JVH, Inc., Asbestos Management, Inc.), Monolith Enterprises, Incorporated, Monroe Street, Inc., MRA Holdings Corp. (f/k/a Nestor-BNA Holdings Corporation), MRA Intermedco, Inc. (f/k/a Nestor-BNA, Inc.), MRA Staffing Systems, Inc. (f/k/a British Nursing Association, Inc.), Remedium Group, Inc. (f/k/a Environmental Liability Management, Inc., E&C Liquidating Corp., Emerson & Cuming, Inc.), Southern Oil, Resin & Fiberglass, Inc., Water Street Corporation, Axial Basin Ranch Company, CC Partners (f/k/a Cross Country Staffing), Hayden-Gulch West Coal Company, H-G Coal Company.

October 23, 2007 beginning at 9:30 AM ET at The Cincinnatian Hotel, 601 Vine Street, Cincinnati, OH 45202.

Counsel for the Debtors and counsel for Eagle Picher Industries, Inc. Personal Injury Settlement Trust are in the process of conferring in order to reach an agreement on a mutually convenient place and time for the deposition to take place.

Dated: October 1, 2007

KIRKLAND & ELLIS LLP

David M. Bernick

200 East Randolph Drive

Chicago, IL 60601

Telephone:

(312) 861-2000

Facsimile:

(312) 861-2200

KIRKLAND & ELLIS LLP

Barbara Harding

Amanda C. Basta

655 Fifteenth Street, NW

Washington, D.C. 20005

Telephone:

(202) 879-5000

Facsimile:

(202) 879-5200

-and-

PACHULSKI STANG ZIEHL & JONES LLP

Laura Davis Jones (Bar No. 2436)

James E. O'Neill (Bar No. 4042)

Timothy P. Cairns (Bar No. 4228)

919 North Market Street, 17th Floor

P.O. Box 8705

Wilmington, Delaware 19899-8705 (Courier 19801)

Telephone: (302) 652-4100

Facsimile: (302) 652-4400

Co-Counsel for the Debtors and Debtors in Possession